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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA

Application of California-American Water
Company (U210W) for Approval of the
Monterey Peninsula Water Supply Project and
Authorization to Recover All Present and Future
Costs in Rates

Application No. 12-04-019
(Filed April 23, 2012)

COMMON BRIEFING OUTLINE

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Dated: May 26, 2015

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Pursuant to the assigned Administrative Law Judge's rulings,¹ California-American Water Company ("California American Water") submits a common outline to be used by the parties in the legal and policy opening and reply briefs due on July 14, 2015 and July 29, 2015, respectively.² California American Water submits this common briefing outline after working with the parties to the proceeding to develop a mutually-agreeable outline, attached hereto as Attachment 1.

¹ See *Ruling Setting forth Updated Schedule and Addressing Other Matters*, January 27, 2014, p. 2; *Administrative Law Judge's Ruling Updating Schedule*, August 21, 2014, p. 3. The most recent ruling on the common briefing outline established a deadline for May 26, 2015 for serving the parties with the outline but did not specify if the outline is required to be filed. See *E-mail Ruling Granting Joint Motion to Reset the Deadline for Submission of Common Outline for Briefing*, May 21, 2015, p. 3. Out of an abundance of caution, California American Water makes this filing with its submission of the attached outline.

² *Administrative Law Judge's Ruling Updating Schedule*, January 23, 2015, p. 3 (setting deadline for the opening brief as 75 days after the issuance of the Draft Environmental Impact Report, and the reply brief 15 days later).

This outline has been created in consultation with all parties and has been re-drafted to cover issues of concern raised by the parties. While the outline does not list every suggested topic raised by parties,³ it relies on broadly worded headings in an effort to be as inclusive as possible. In addition, the outline contains several catch-all headings designated as “other” (i.e., “Other CPCN Factors”) to make sure parties are not precluded from briefing items beyond those explicitly called out in the outline.

Parties have had multiple opportunities to provide suggestions and issues for inclusion, and this outline reflects multiple rounds of edits, including revisions accepted on the afternoon of the day of filing.

As of the time of filing, only two parties have objected to this outline. These parties include: Water Plus and Marina Coast Water District. Water Plus indicated after the final outline had been circulated that they could not support the outline unless four items were added to the outline.⁴ Marina Coast Water District also stated they could not support the outline without the additional changes proposed by Water Plus, so long as sub-section II.F.2 is deleted and a section entitled California Environmental Quality Act (“CEQA”) compliance was added. Due to the lateness of these proposals, California American water did not have adequate time to accommodate these changes and ensure all parties had the opportunity to review and respond to

³ In an effort to reach agreement, proposed headings that were argumentative and duplicative were removed from the outline. In addition, topic headings directed at critiquing the DEIR and considering water supply options unrelated to the proceeding were not included, consistent with the scoping memo and other rulings related to the scope and purpose of the legal and policy briefs. (See e.g., *Amended Scoping Memo and Assigned Commissioner Ruling*, September 25, 2013, pp. 2-3, 6.) However, the common briefing outline by itself does not preclude parties from raising such arguments in their briefs.

⁴ These issues include: Evaluation of the validity of prediction models of intake-water salinity; Intake reliability; Ownership (public or private) and cost; and Adequate consideration of alternative projects.

the final outline. The common briefing outline, attached hereto as Attachment 1, does not preclude parties from briefing these points under existing sub-headings.

Respectfully submitted,

Dated: May 26, 2015

By: /s/ Sarah E. Leeper
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Attorney for Applicant
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